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**From:** Harlow, David [harlow.david@epa.gov]  
**Sent:** 11/20/2019 8:09:11 PM  
**To:** Block, Molly [block.molly@epa.gov]  
**CC:** Jackson, Ryan [jackson.ryan@epa.gov]; Schiermeyer, Corry [schiermeyer.corry@epa.gov]; McFaul, Jessica [mcfaul.jessica@epa.gov]; Bolen, Brittany [bolen.brittany@epa.gov]; Lopez, Peter [lopez.peter@epa.gov]  
**Subject:** Re: R2 LTB RESPONSE

## Ex. 5 Deliberative Process and Attorney Client

Sent from my iPhone

On Nov 20, 2019, at 2:53 PM, Block, Molly <block.molly@epa.gov> wrote:

## Ex. 5 Deliberative Process and Atty-Client

**From:** Jackson, Ryan <jackson.ryan@epa.gov>  
**Sent:** Wednesday, November 20, 2019 2:23 PM  
**To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Block, Molly <block.molly@epa.gov>; McFaul, Jessica <mcfaul.jessica@epa.gov>  
**Cc:** Bolen, Brittany <bolen.brittany@epa.gov>; Lopez, Peter <lopez.peter@epa.gov>; Harlow, David <harlow.david@epa.gov>  
**Subject:** FW: R2 LTB RESPONSE

Wowey, so I think this email includes everyone's contributions plus the letters from the USVI governors.

## Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

# **Ex. 5 Deliberative Process (DP)**

# **Ex. 5 Deliberative Process (DP)**

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**From:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>  
**Sent:** Wednesday, November 20, 2019 1:33 PM  
**To:** Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>

**Cc:** Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>

**Subject:** FW: R2 LTB RESPONSE

Here is info from Pete...

I started to pull this together but it does need work:

# Ex. 5 Deliberative Process (DP)

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**From:** Lopez, Peter <[lopez.peter@epa.gov](mailto:lopez.peter@epa.gov)>

**Sent:** Wednesday, November 20, 2019 1:23 PM

**To:** Schiermeyer, Corry <[schiermeyer.corry@epa.gov](mailto:schiermeyer.corry@epa.gov)>

**Cc:** Block, Molly <[block.molly@epa.gov](mailto:block.molly@epa.gov)>

**Subject:** Fwd: R2 LTB RESPONSE

Hi my friend.

Here you go.

Immediately available to you if you have any questions or need more information.

Best wishes.

Sincerely,  
Pete

Peter D. Lopez  
Regional Administrator - R2  
290 Broadway, 26th Floor  
New York, NY 10007-1866  
(212) 637-5000 (work)  
(917) 376-2190 (cell)  
(212) 637-5024 (fax)

Begin forwarded message:

**From:** "Mears, Mary" <[Mears.Mary@epa.gov](mailto:Mears.Mary@epa.gov)>  
**Date:** November 20, 2019 at 1:19:04 PM EST  
**To:** "Lopez, Peter" <[lopez.peter@epa.gov](mailto:lopez.peter@epa.gov)>  
**Subject:** LTB RESPONSE

Hi Pete,

See below and attached (Response V 3 combined) for response. Please also see two attachments (Letter to Governor and also Background Sheet) referred to in the response.

**INQUIRY FROM E&E NEWS – DEADLINE IMMEDIATE!!!!**

Hi, we're planning to run a story on Thursday about the Trump administration's behind-the-scenes support for reopening the former Hovensa refinery. The piece details several meetings and actions top EPA officials have taken to support the Limetree Bay Terminal project, including appointing a team leader tasked with coordinating the administration's responses to the ArcLight Capital-backed project. It also quotes an [email](#) from Robert Tomiak, the team leader selected by Administrator Wheeler, in which he says "this project is potentially serving as a pilot for a broader customer liaison concept."

Why was it "[critical](#)" for LBT to base its PAL permit on 2009 and 2010 emissions levels, even though the company plans to produce far less oil than Hovensa did during those years? How will EPA ensure that LBT doesn't emit the same amount of pollution refining 210,000 barrels per day as it did when it was producing 500,000 bpd?

What does EPA make of criticism from environmentalists that the agency shouldn't be doing customer service for polluters and that it shouldn't rush along permits that a hurricane-ravaged population hasn't had much time or capacity to review? Why have Administrator Wheeler and other top officials devoted so much time and attention to this one polluting project? Has the White House, which invited ArcLight Capital's founder to travel to China with the president in 2017, pushed for the speedy reopening of the Limetree refinery?

Why would EPA agree to allow LBT to avoid air monitoring and delay compliance with the refinery and MATS rules, as suggested by this [spreadsheet](#)? How are would those exemptions and other modifications to the consent decree benefit human health and the environment?

Please get back to me with any information or comments by 5 p.m. on Wednesday, Nov. 20.

**Corbin Hiar**

E&E News Reporter

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## **Ex. 5 Deliberative Process (DP)**

# **Ex. 5 Deliberative Process (DP)**

**Mary Mears**

**U.S. EPA Region 2**

**Public Affairs Director**

**(212) 637-3673 (office)**

**(646) 369-0077 (cell)**